REMARKS

Upon entry of the present amendment, claims 43-46, 49, 50, 57, 62, 65, 67, 71, 75, and 78 will be pending in the application. The remaining claims (claims 1-3, 7-8, 12-24, 40-42, 47-48, 51-56, 63-64, 66, 68-70, 72-74, 76-77) have been cancelled without prejudice or disclaimer to the subject matter thereof. Claims 44-46, 67, 71, and 75 have been reinstated as rewritten and amended as indicated below.

The Examiner has maintained a number of the previously-made rejections, but has not rejected claims 49, 50, and 57, which had previously been indicated as being free of the art of record. Because those claims were not addressed in the outstanding Office action, Applicants initiated an interview with the Examiner, during which the Examiner confirmed that claims 49, 50 and 57 would be allowable if rewritten in independent form. Accordingly, Applicants have rewritten the claim 49 in this amendment, from which claims 50 and 57 depend.

Applicants further submit that any claims which depend from claims 49, 50, and 57 should be considered allowable as well, since they further narrow these claims. Accordingly, Applicants respectfully request that the Examiner consider and allow claims 49-50, 57-61, as well as amended claims 43-46, 62, 65, 67, 71, 75, and 78. Applicants have cancelled all remaining claims without prejudice or disclaimer to the filing of a continuation application thereto.

Version with markings to show changes made:

IN THE CLAIMS:

43. (Amended) A [vaccine] composition comprising:

(a) at least one particle prepared according to the method of claim [3] 49, and

(b) a pharmaceutically acceptable carrier [or other excipient].

44. (Amended) A vaccine composition comprising:

(a) at least one particle prepared according to the method of claim [5] 57, and

(b) a pharmaceutically acceptable carrier [or other excipient].

45. (Amended) A [pharmaceutical] vaccine composition comprising:

(a) at least one particle prepared according to the method of claim [6] 59, and

(b) a pharmaceutically acceptable carrier [or other excipient].

46. (Amended) [The] A composition [of claim 45,] comprising:

(a) [wherein the] at least one particle [is dried] prepared according to the method of claim 61, and

(b) [wherein the carrier is an aerosol] a pharmaceutically acceptable carrier.

49. (Amended) [The method of claim 48,]

A method for preparing one or more particles of calcium phosphate having diameters between about 300 nm to about 4000 nm, comprising reacting a soluble calcium salt with a soluble phosphate salt, wherein the reacting comprises:

(a) mixing an aqueous solution of calcium chloride with an aqueous solution of sodium citrate to form a mixture,

(b) adding an aqueous solution [a] of sodium phosphate to the mixture to form a solution,

(c) stirring the solution until particles of the desired size and comprising calcium phosphate are obtained.

62. (Amended) A method for adjuvanting a vaccine comprising administering an effective amount of at least one particle prepared according to the method of claim [1] 49 in conjunction with administration of a killed, attenuated or live vaccine, or a decoy virus to a patient in need thereof.

65. (Amended) A method for providing a controlled release of antigenic material, comprising administering an effective amount of at least one particle prepared according to the method of claim [3] 57 to a patient in need thereof.

67. (Amended) A method for vaccinating a patient, comprising administering an effective amount of a composition comprising:

(a) at least one particle prepared according to the method of claim [5] 59, and

(b) a pharmaceutically acceptable carrier [solution or other excipient]

to a patient in need thereof.

71. (Amended) A method for delivering [an inhalable, aerosolizable] a therapeutic composition comprising administering an effective amount of a composition comprising at least one particle prepared according to the method of claim [6] 61 to a patient in need thereof.

75. The method of claim 71, wherein the particles comprise a coating of polyethylene glycol and human insulin and are administered to a diabetic patient in need thereof.

78. (Amended) The method of claim [48] 49, further comprising:

(d) sonicating the particles until particles of the desired size are obtained.

CONCLUSION

Applicants respectfully submit that the present application is in condition for immediate allowance, and respectfully request an early notification thereof. If the Examiner believes that further issues remain to be resolved, he is encouraged to contact the undersigned at the number listed below.

Applicants believe that no fees are due, but if mistaken, please charge any additional fees or credit any overpayment to Deposit Order Account No. 11-0855.

Respectfully submitted,

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